

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mary A. LAMP et al.
Serial No.: Unassigned
Filed: Concurrently herewith
Title: SOFT, FULLY
BAKED BREADSTICKS
Group
Art Unit: 1761
Examiner: Lien T. Tran

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 004 885 934 US

Date of Deposit January 8, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Dominic Vessell

(Typed or printed name of person mailing)

Dominic Vessell
(Signature of person mailing)

PRELIMINARY AMENDMENT

Hon. Commissioner of Patents
and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

Applicants submit this Preliminary Amendment with the continuation-in-part application filed herewith. Applicants first thank the Examiner for the interview granted November 15, 2001, in the parent application (Serial No. 09/573,019, filed May 17, 2000). At the interview, Feldmeier et al. (U.S. Patent 6,048,558) was discussed. Although no agreement was reached, Applicants proposed to amend the claims to exclude the essential element (i.e., anti-fogging agent) of Feldmeier et al. and to add a more specific stability limitation. In this continuation-in-part application, Applicants have made such changes. Changes similar to the changes presented in the May 1, 2001 Amendment in the parent case have also been made in the present application. Applicants respectfully consideration of the claims.

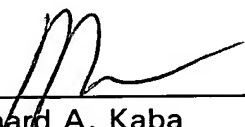
20042933 010802

A restriction requirement was issued in the parent application. In order to advance prosecution of the present application, Applicants, assuming a similar restriction requirement is issued, would elect without traverse claims 1-8 directed to the kit while reserving the right to present claims 9-15 to the breadstick loaf in a separate application at the appropriate time.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: _____


Richard A. Kaba
Registration No. 30,562

Date: January 8, 2002

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-4277
(312) 577-7000

10042983 010802